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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,310	11/18/2003	Abdul Malik	USF-236XT	7300

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EXAMINER

THERKORN, ERNEST G

ART UNIT PAPER NUMBER

1723

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/716,310

Applicant(s)

MALIK ET AL.

Examiner

Ernest G. Therkorn

Art Unit

1723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 5,7,11-17,22,23 and 25-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6,8-10,18-21,24, and 28-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 8-10, 18-21, 28, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik (WO 00/11463) in view of either Kim (U.S. Patent Pub. No. 2002/0020669) or Neumann (DE 19,621,741) and the PTO 03-679 translation of Neumann (DE 19,621,741). PTO 03-679 translation of Neumann (DE 19,621,741) will serve as a translation of Neumann (DE 19,621,741). At best, the claims differ from Malik (WO 00/11463) in reciting use of a dendrimer. Kim (U.S. Patent Pub. No. 2002/0020669) (paragraphs 9-10) discloses that dendrimers bonded on supports are economically feasible, versatile, and useable in chromatography. PTO 03-679 translation of Neumann (DE 19,621,741) on page 2, lines 3-10 discloses that use of dendrimers increases the number of functional groups thereby improving separation. It would have been obvious to use a dendrimer in Malik (WO 00/11463) because Kim (U.S. Patent Pub. No. 2002/0020669) (paragraphs 9-10) discloses that dendrimers bonded on supports are economically feasible, versatile, and useable in chromatography. It would have been obvious to use a dendrimer in Malik (WO 00/11463) because Neumann (DE 19,621,741), as evidenced by PTO 03-679 translation of Neumann (DE 19,621,741) on page 2, lines 3-10, discloses that use of dendrimers increases the number of functional groups thereby improving separation.

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Claims 6 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik (WO 00/11463) in view of either Kim (U.S. Patent Pub. No. 2002/0020669) or Neumann (DE 19,621,741) and the PTO 03-679 translation of Neumann (DE 19,621,741) as applied to claims 1-4, 8-10, 18-21, 28, and 29 above, and further in view of Newkome (U.S. Patent No. 5,703,271). At best, the claims differ from Malik (WO 00/11463) in view of either Kim (U.S. Patent Pub. No. 2002/0020669) or Neumann (DE 19,621,741) and the PTO 03-679 translation of Neumann (DE 19,621,741) in reciting use of isocyanate. Newkome (U.S. Patent No. 5,703,271) (column 7, lines 11-46) discloses isocyanate dendrimers have the flexibility of reacting with various chemical surfaces including siloxane and can be used in "column chromatography or the like for the selective removal of agents from the material flowing through the column." It would have been obvious to use isocyanate in Malik (WO 00/11463) in view of either Kim (U.S. Patent Pub. No. 2002/0020669) or Neumann (DE 19,621,741) and the PTO 03-679 translation of Neumann (DE 19,621,741) because Newkome (U.S. Patent No. 5,703,271) (column 7, lines 11-46) discloses isocyanate dendrimers have the flexibility of reacting with various chemical surfaces including siloxane and can be used in "column chromatography or the like for the selective removal of agents from the material flowing through the column."

Claims 5, 7, 22, 23, and 25 have been withdrawn from consideration as being drawn to non-elected species.

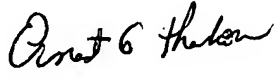
Claims 11-17 and 26-27 have been withdrawn from consideration as being drawn to non-elected inventions.

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The restriction and election of species requirements have been reconsidered, deemed proper, and made final for the reasons of record.

Any inquiry concerning this communication should be directed to E. Therkorn at telephone number (571) 272-1149. The official fax number is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Ernest G. Therkorn  
Primary Examiner  
Art Unit 1723

EGT  
September 6, 2006